

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CATHY A. WEST,

3:10-CV-01421-AC

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner of Social
Security.

Defendant.

JAMES S. COON
Swanson, Thomas, Coon & Newton
820 S.W. Second Ave.,
Suite 200
Portland, OR 97204
(503) 228-5222

Attorneys for Plaintiff

S. AMANDA MARSHALL
United States Attorney
ADRIAN L. BROWN
Assistant United States Attorney
1000 S.W. Third Avenue, Suite 600
Portland, OR 97204-2902
(503) 727-1003

BRETT EDWARD ECKELBERG

Office of the General Counsel
Social Security Administration
701 Fifth Avenue, Suite 2900, M/S 221A
Seattle, WA 98105/7075

ROBERTA G. BOWIE

Office of the General Counsel
Social Security Administration
1301 Young Street
SuiteA702
Dallas, TX 75202-4117
(214) 767-4183

Attorneys for Defendant

BROWN, Judge.

Magistrate Judge Paul Papak issued a Findings and Recommendation (#37) on January 9, 2013, in which he recommends the Court grant Plaintiff's uncontested Motion (#33) for Attorney Fees and Expenses in the amount of \$1,997.94 for attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A), and expenses for postage and copying costs in the amount of \$21.61 under 28 U.S.C. § 1920 as the prevailing party in this case. This matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

On January 15, 2013, Plaintiff filed a Supplemental Memorandum in support of the Magistrate Judge's Recommendation setting forth the hourly rates billed for the services of the paralegal and a copy of Section 3 of the 2010 National Utilization and Compensation Survey Report. Defendant did not file a response or an objection to the Supplemental Memorandum

nor has any party filed Objections to the Magistrate Judge's Findings and Recommendation.

On this record the Court, therefore, is relieved of its obligation to review the record *de novo* as to the Findings and Recommendation. See *Shiny Rock Min. Corp v. U.S.*, 825 F.2d 216, 218. (9th Cir. 1987). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#37). Accordingly, the Court **GRANTS** Plaintiff's Motion (#33) for Attorney Fees and Expenses and **AWARDS** Plaintiff reasonable attorney fees in the amount of \$1,997.94 and expenses for postage and copying costs in the amount of \$21.61.

IT IS SO ORDERED.

DATED this 8th day of February, 2013.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge